

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WASHINGTON

EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION

Plaintiff,

ELODIA SANCHEZ, et al.,

Plaintiffs-Intervenors,

v.

EVANS FRUIT CO., INC.

Defendant,

and

JUAN MARIN and ANGELITA
MARIN, a marital community,

Defendants-Intervenors.

NO. CV-11-3093-LRS

**ORDER RE PROTECTIVE
ORDER TO PROHIBIT
FURTHER DEPOSITIONS**

BEFORE THE COURT is Plaintiffs' Joint Motion To Prohibit Further
Depositions (ECF No. 68). The motion is heard without oral argument.

While it is true that depositions of Gregorio Aguila, Ambrosio Marin,
Gerardo Silva, Angela Mendoza, Elodia Sanchez, and Cirilo Marin have not
specifically been taken under the captioned case number, these individuals have
been deposed twice by Defendant Evans Fruit in the related sexual harassment

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lawsuit, CV-10-3033-LRS, the most recent occasions being late last year (2011) and earlier this year (2012). It is apparent that in those depositions, there was significant inquiry regarding the events which give rise to this retaliation lawsuit. On the other hand, it appears there was not as much inquiry regarding damages claimed as a result of the alleged retaliation.

Pursuant to Fed. R. Civ. P. 26(b)(2)(C), the court will allow Defendant Evans Fruit to depose each of the aforementioned individuals under the captioned case number on all matters at issue, but each deposition will be limited to 1.5 hours exclusive of breaks and/or interruptions. Individuals located out of state will not be required to come to Yakima for their depositions. They will be deposed at a location convenient to them subject to agreement of the parties, or by telephone at the option of Plaintiffs' counsel.

Plaintiffs' Joint Motion For Protective Order (ECF No. 68) is **GRANTED** to the extent set forth herein. The parties shall bear their own fees and costs with respect to the litigation of this motion.

IT IS SO ORDERED. The District Executive is directed to enter this order and forward copies to counsel of record.

DATED this 1st day of November, 2012.

s/Lonny R. Suko

LONNY R. SUKO
United States District Judge

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